

**U.S. District Court  
District of North Dakota (Western)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00070-DLH-CRH**

Kuntz v. Department of Justice  
Assigned to: Chief Judge Daniel L. Hovland  
Referred to: Magistrate Judge Clare R. Hochhalter  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/22/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Riley S. Kuntz**

represented by **Riley S. Kuntz**  
238 5th Ave W  
Dickinson, ND 58601  
701-483-3459  
PRO SE

V.

**Defendant**

**Department of Justice**  
*Washington, DC 20530*

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Date Filed	#	Docket Text
04/22/2019	<u>1</u>	COMPLAINT against Department of Justice (Filing fee \$400, receipt number 119000867) filed by Riley S. Kuntz. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Mailing Envelope)(am) (Entered: 04/23/2019)
04/23/2019	<u>2</u>	Summons Issued as to Department of Justice, U.S. Attorney and U.S. Attorney General (am) (Entered: 04/23/2019)
04/23/2019	<u>3</u>	NOTICE of Direct Assignment as to Riley S. Kuntz. Consent/Reassignment Form due by 5/7/2019. (am) (Entered: 04/23/2019)
04/29/2019	<u>4</u>	CONSENT/REASSIGNMENT FORM by Riley S. Kuntz. (Attachments: # <u>1</u> Mailing Envelope)(rh) (Entered: 04/29/2019)
04/29/2019	<u>5</u>	(Text Only) ORDER REASSIGNING CASE to Chief Judge Daniel L. Hovland and referring to Magistrate Judge Clare R. Hochhalter for all further proceedings.

		Magistrate Judge Clare R. Hochhalter no longer the presiding judge assigned to the case by Chief Judge Daniel L. Hovland. (rh) Distributed on 4/29/2019. (rh) (Entered: 04/29/2019)
05/02/2019	<u>6</u>	CERTIFICATE OF SERVICE by Riley S. Kuntz re <u>2</u> Summons Issued as to U.S. Attorney's Office, <u>1</u> Complaint (Attachments: # <u>1</u> Certified Mail Receipt, # <u>2</u> Mailing Envelope)(am) (Entered: 05/02/2019)
05/02/2019	<u>7</u>	CERTIFICATE OF SERVICE by Riley S. Kuntz re <u>2</u> Summons Issued as to Attorney General, <u>1</u> Complaint (Attachments: # <u>1</u> Certified Mail Receipt, # <u>2</u> Mailing Envelope)(am) (Entered: 05/02/2019)
05/21/2019	<u>8</u>	MOTION re <u>1</u> Complaint to Set Time to Answer or Otherwise Respond by Department of Justice. (Iversen, Tara) (Entered: 05/21/2019)
05/23/2019	<u>9</u>	FIRST AMENDED COMPLAINT against Department of Justice filed by Riley S. Kuntz. (Attachments: # <u>1</u> Exhibit 1 – Memorandum of Understanding, # <u>2</u> Exhibit 2 – 2013 Watchlisting Guide, # <u>3</u> Certificate of Service, # <u>4</u> Mailing Envelope)(am) (Entered: 05/23/2019)
05/23/2019	<u>10</u>	ORDER granting <u>8</u> MOTION to Set Time to Answer or Otherwise Respond. Department of Justice shall have 6/24/2019 to file an answer or otherwise respond to plaintiff's amended complaint. By Magistrate Judge Clare R. Hochhalter. (BG) Distributed on 5/24/2019 (cjs). (Entered: 05/23/2019)
05/28/2019	<u>11</u>	OBJECTION re <u>10</u> Order granting <u>8</u> MOTION to Set Time to Answer or Otherwise Respond by Riley S. Kuntz. (Attachments: # <u>1</u> Mailing Envelope)(am) (Entered: 05/28/2019)
05/28/2019	<u>12</u>	RESPONSE to <u>8</u> Motion re <u>1</u> Complaint to Set Time to Answer or Otherwise Respond filed by Riley S. Kuntz. (Attachments: # <u>1</u> Mailing Envelope)(am) (Entered: 05/28/2019)
06/03/2019	<u>13</u>	ORDER: Insofar as the <u>11</u> Objection filed by Riley S. Kuntz could be construed as a request for reconsideration of the court's order of 5/23/2019, it is denied. By Magistrate Judge Clare R. Hochhalter. (BG) Distributed on 6/3/2019 (cjs). (Entered: 06/03/2019)
06/04/2019	<u>14</u>	MOTION for Reconsideration by Riley S. Kuntz. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Mailing Envelope)(cjs) (Entered: 06/04/2019)
06/07/2019	<u>15</u>	OBJECTION re <u>13</u> Order by Riley S. Kuntz. (Attachments: # <u>1</u> Mailing Envelope)(cjs) (Entered: 06/07/2019)
06/07/2019	<u>16</u>	NOTICE of Appearance by James P. Thomas on behalf of Department of Justice (Thomas, James) (Entered: 06/07/2019)
06/07/2019	<u>17</u>	NOTICE of Appearance by Melissa H. Burkland on behalf of Department of Justice (Burkland, Melissa) (Entered: 06/07/2019)
06/14/2019	<u>18</u>	NOTICE of Change of Address by Riley S. Kuntz (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Mailing Envelope)(cjs) (Entered: 06/14/2019)
06/18/2019	<u>19</u>	ORDER by Magistrate Judge Clare R. Hochhalter denying <u>14</u> Motion for Reconsideration. (BG) Distributed on 6/18/2019. (rh) (Entered: 06/18/2019)
06/24/2019	<u>20</u>	ANSWER to <u>9</u> Amended Complaint by Department of Justice. (Attachments: # <u>1</u> Exhibit 1 – Plaintiff's FBI eFOIA request dated November 25, 2018, # <u>2</u> Exhibit 2 – Letter from David M. Hardy, # <u>3</u> Exhibit 3 – Letter from William G. McKinsey dated November 28, 2018, # <u>4</u> Exhibit 4 – FBI Office of Information Policy's internal documentation of Riley Kuntz appeal, # <u>5</u> Exhibit 5 – Letter from William G. McKinsey dated January 18, 2019, # <u>6</u> Exhibit 6 – Letter from Sean R. O'Neill, # <u>7</u> Exhibit 7 – Letter from Christina D. Troiani)(Thomas, James) (Entered: 06/24/2019)
06/24/2019	<u>21</u>	MOTION to Dismiss <i>Non-FOIA Claims</i> by Department of Justice. (Thomas, James) (Entered: 06/24/2019)
06/24/2019	<u>22</u>	MEMORANDUM in Support re <u>21</u> MOTION to Dismiss <i>Non-FOIA Claims</i> filed by Department of Justice. (Thomas, James) (Entered: 06/24/2019)

06/24/2019	<u>23</u>	AFFIDAVIT of Record Custodian Brian Allen Baker re <u>21</u> MOTION to Dismiss <i>Non-FOIA Claims</i> , <u>22</u> MEMORANDUM in Support by Department of Justice. (Thomas, James) (Entered: 06/24/2019)
06/28/2019	<u>24</u>	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Riley S. Kuntz re <u>19</u> Order on Motion for Reconsideration (Attachments: # <u>1</u> Mailing Envelope)(cjs) (Entered: 06/28/2019)
07/03/2019	<u>25</u>	BRIEF re <u>24</u> APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Riley S. Kuntz re <u>19</u> Order on Motion for Reconsideration / <i>Response to</i> by Department of Justice. (Thomas, James) (Entered: 07/03/2019)
07/09/2019	<u>26</u>	REPLY TO PARTIAL ANSWER re <u>20</u> Answer to Amended Complaint,, by Riley S. Kuntz. (Attachments: # <u>1</u> Mailing Envelope)(cjs) (Entered: 07/09/2019)
07/09/2019	<u>27</u>	MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION to Dismiss <i>Non-FOIA Claims</i> by Riley S. Kuntz. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Mailing Envelope)(cjs) (Entered: 07/09/2019)
07/09/2019	<u>28</u>	RESPONSE to Motion re <u>27</u> MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION to Dismiss <i>Non-FOIA Claims</i> filed by Department of Justice. (Thomas, James) (Entered: 07/09/2019)